

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1021

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-13-2-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 24. "Church bus" ~~for purposes of IC 9-29-5-9,~~ has the meaning set forth in IC 9-29-5-9(a).

SECTION 2. IC 9-19-13-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. (a) Except for a vehicle utilized in a funeral procession, a vehicle that is not described by section 4 of this chapter may not display a red lamp.

(b) **Except as provided in subsection (c),** a person who:

(1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and

(2) is not authorized to display a red lamp upon the vehicle;

shall immediately remove the red lamp from the vehicle.

(c) **A person who:**

(1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and

(2) uses the vehicle as a church bus;

is not required to remove the red lamp from the vehicle if the person renders the red lamp inoperable.

SECTION 3. IC 9-21-8-52, AS AMENDED BY P.L.1-2005, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 52. (a) A person who operates a

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vehicle and who recklessly:

- (1) drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to:
 - (A) endanger the safety or the property of others; or
 - (B) block the proper flow of traffic;
- (2) passes another vehicle from the rear while on a slope or on a curve where vision is obstructed for a distance of less than five hundred (500) feet ahead;
- (3) drives in and out of a line of traffic, except as otherwise permitted; **or**
- (4) speeds up or refuses to give one-half (1/2) of the roadway to a driver overtaking and desiring to pass; ~~or~~
- ~~(5) passes a school bus stopped on a roadway when the arm signal device specified in IC 9-21-12-13 is in the device's extended position;~~

commits a Class B misdemeanor.

(b) A person who operates a vehicle and who recklessly passes a school bus stopped on a roadway when the arm signal device specified in IC 9-21-12-13 is in the device's extended position commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person.

~~(b)~~ (c) If an offense under subsection (a) **or (b)** results in damage to the property of another person **or bodily injury to another person**, the court shall recommend the suspension of the current driving license of the person for a fixed period of:

- (1) not less than thirty (30) days; and
- (2) not more than one (1) year.

SECTION 4. IC 20-27-9-16, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 16. **(a) Except as provided in subsection (b),** whenever a school bus is purchased for and is being used for any purpose except to transport students, the purchaser shall:

- (1) remove the flasher lights;
- (2) remove the stop arm; and
- (3) paint the bus any color except the national standard school bus chrome yellow.

(b) Whenever a school bus is purchased for use, and is being used, as a church bus (as defined in IC 9-29-5-9(a)), the purchaser:

- (1) may retain the flasher lights if the purchaser renders the flasher lights inoperable;**
- (2) may retain the stop arm if the purchaser renders the stop arm inoperable; and**

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(3) shall paint the bus any color except the national standard school bus chrome yellow.

SECTION 5. [EFFECTIVE JULY 1, 2009] IC 9-21-8-52, as amended by this act, applies only to crimes committed after June 30, 2009.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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